IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 3273 of 2007(M)

PETITIONER:

N.KUNHI RAMAN NAMBIAR,
RAM NIVAS, P.O.NEERVARAM, (VIA)PANAMARAM,
WAYANAD DISTRICT.

BY ADV. SRI.C.VALSALAN
SRI.K.RAKESH ROSHAN
SMT.THUSHARA.V

RESPONDENTS: RESPONDENTS
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1. STATE OF KERALA, REP. BY
THE SECRETARY, HOME DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
WAYANAD DISTRICT, KALPETTA.

3. THE REVENUE DIVISION OFFICER,
MANANTHAVADI, WAYANAD DISTRICT.

4. THE SUPERINTENDENT OF POLICE,
WAYANAD DISTRICT, KALPETTA.

5. SUB INSPECTOR OF POLICE,
KAMBALAKKAD POLICE STATION, WAYANAD DISTRICT.

6. LAKSHMI, D/O. DHARAPPAN,
GANAPATHI KOLLIYIL, POST NEERVARAM,
(VIA)PANAMARAM, WAYANAD DISTRICT.

BY ADV. SRI.M.P.ASHOK KUMAR
SRI.P.C.GOPINATH
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the order dated 17-12-1974 by Land Tribunal Manandavady

Ext.P2: True copy of the certificate dated 16-10-1971 by Village Assistant , Kuppathode

Ext.P3: True copy of the plan and report dated 16-08-1991 by Village Officer, Panamaram

Ext.P4: True copy of the order dated 26-3-1996 by 3rd respondent

Ext.P5: True copy of the appeal dated 22-7-1991 before the 2nd respondent

Ext.P6: True copy of the acknowledgment

Ext.P7: True copy of the petition dated 24-1-2007 to 4th respondent

RESPODNENT'S EXHIBITS

Ext.R6(a) The photocopy of the tax receipt dated 3-2-1966

Ext.R6(b) The photocopy of the tax receipt 8-3-1978

Ext R6(c) The photocopy of the agreement dated 6-6-1997

//True copy//

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 3273 OF 2007

Dated this the 13th day of February, 2007

J U D G M E N T

KOSHY, J.

This is a petition for police protection. There is already an order of the RDO and it is submitted that appeal is pending before the District Collector as Exhibit P5. We are not expressing any opinion regarding the merits of the civil or other disputes between the parties under Article 226 of the Constitution of India. The matter is pending before the District Collector and he has to decide the matter untramelled by any observations made in this judgment. If there are disputed civil rights, parties also can approach the civil court. We are not deciding the question of title or possession in a petition filed under Article 226 for police protection. However, we direct the police to see that law and order is maintained and life of both parties are not endangered. The District Collector is directed to dispose of Exhibit P5 according to law as expeditiously as possible.

Writ petition is disposed of as above.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

Rp